STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of ANTHONY GERG HART, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ANTHONY GARY HART, SR.,

Respondent-Appellant,

and

BRENDA ANN ELLIOT,

Respondent.

UNPUBLISHED
October 3, 2000

No. 221146
Wayne Circuit Court
Family Division
LC No. 95-323171

Before: McDonald, P.J., and Sawyer and White, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the family court order terminating his parental rights to the minor child under MCL 712A.19b(3)(a)(ii), (c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(a)(ii), (c)(i), (g) and (j). We affirm.

Respondent-appellant claims that the family court erred in terminating his parental rights because petitioner failed to make reasonable efforts to reunite him with the child. We disagree. During the four years that the child was a temporary court ward, respondent-appellant made no effort to reunite with the child. Although he received certified mail service in Illinois in early 1995, notifying him about the case, he failed to visit or support the child on a regular basis and did not establish paternity until January 1999, on the day of the permanent custody hearing. Respondent-appellant did not come forward with a plan for the child and was satisfied with the child's placement with the grandmother. Although a parent/agency agreement was developed for respondent-appellant, he never made himself available to appellee, making it impossible to offer him any services. The juvenile code requires that services be

offered to facilitate reunification and any additional services the court may order, but petitioner is not required to offer every conceivable service that may be available before termination may be ordered. MCL 712A.18f; MSA 27.3178(598.18f) and MCL 712A.19; MSA 27.3178(598.19). Under the circumstances here, no error has been shown.

Respondent-appellant also argues that petitioner failed to prove by clear and convincing evidence that termination of his parental rights was in the best interests of the child. In *In re Trejo Minors*, 462 Mich 341; 603 NW2d 787 (2000), our Supreme Court recently held that MCL 712A.19b(5); MSA 27.3178(598.19b)(5), the statutory best interest provision, does not expressly assign any party the burden of producing best interest evidence and rejected this Court's characterization of § 19b(5) in *In re Hall-Smith*, 222 Mich App 470, 472; 564 NW2d 156 (1997), as imposing a burden of production on the party opposing termination. The Supreme Court also held that § 19b(5) does not impose any further burden of proof on the petitioner once the petitioner has carried its burden of establishing one or more statutory grounds for termination, and that the trial court may consider evidence introduced by any party when determining whether termination is clearly not in a child's best interests. *Id.*, slip op at 11-14. The evidence presented in this case did not establish that termination of respondent-appellant's parental rights was clearly not in the child's best interests.

Finally, in his statement of jurisdiction, respondent-appellant asserts that the trial court's decision was not supported by clear and convincing evidence and should be reversed. To the extent respondent-appellant is challenging the trial court's determination that a statutory ground for termination was established, the issue is not properly before us because respondent-appellant cites no authority and provides no argument on this issue. A party may not merely announce a position and leave it to this Court to discover and rationalize the basis for his claim. *In re Hamlet (After Remand)*, 225 Mich 505, 521; 571 NW2d 750 (1997). Further, the issue is not raised in respondent-appellant's statement of questions presented. *Hilliard v Schmidt*, 231 Mich App 316, 318; 586 NW2d 263 (1998).

Affirmed.

/s/ Gary R. McDonald
/s/ David H. Sawyer
/s/ Helene N. White